

REMARKS/ARGUMENTS

No claims have been added, canceled, or amended.

35 U.S.C. § 102(e) Rejections

Examiner rejected claims 1-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication 2004/0141548 (hereinafter “Shattil”).

The Applicant would like to respectfully point out that Shattil – because of its December 8, 2003 filing date – does not qualify as prior art under 35 U.S.C. §102(e) or any other subsection of §102 for the present application.

Shattil is a continuation-in-part of U.S. Pat. No. 6,686,879 (hereinafter “879”). At this time, the Applicant does not assess whether ‘879 qualifies as prior art for the present application. However, ‘879 does not teach or suggest, nor does the Examiner assert that it would, the limitations of the independent and dependent claims. For example, ‘879 does not teach or suggest “generating a plurality of sub-carriers to redundantly transmit the information to a user over a multi-carrier wireless communication channel, wherein each of the sub-carriers is modified by a set of complex weights to ensure that each of the sub-carriers of the wireless communication channel propagates along a different physical path to the receiver,” as required by claim 1.

Furthermore, 879 does not teach or suggest “a diversity agent, to selectively develop and apply a set of complex weight values to each of a plurality of signals, each corresponding to a sub-carrier of a multi-carrier communication channel, to introduce spatial diversity between such sub-

carriers," as required by claim 7. All other claims are dependent claims adding further limitations.

Therefore, all claims remaining in the application are now in condition for allowance.

CONCLUSION

Applicant respectfully submits the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Adam Furst at (408) 947-8200.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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